

January 8, 2008

**REGULAR MEETING
FLOYD COUNTY BOARD OF COMMISSIONERS
January 08, 2008 2:00 P.M.**

PRESENT: Chairman Jerry Jennings, Commissioners Garry Fricks, Eddie Lumsden, John Mayes, and Chad Whitefield.

OTHERS

PRESENT: County Attorney Tommy Manning, County Clerk Kathy Arp, County Manager Kevin Poe, and Assistant County Manager Blaine Williams.

CALL TO ORDER: County Attorney Manning called the meeting to order.

INVOCATION: Commissioner Whitefield led the Invocation.

PLEDGE OF

ALLEGIANCE: The Pledge of Allegiance was led by Commissioner Lumsden.

**APPOINTMENT OF CHAIRMAN AND
VICE-CHAIRMAN:**

County Attorney Tommy Manning called for a motion to appoint the Chairman of the Floyd County Commission. Commissioner Mayes made a MOTION to appoint Commissioner Jerry Jennings as Chairman for the year 2008. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
" Jennings

Motion Carried

Chairman Jennings stated he appreciates the confidence that his fellow commissioners have shown in him in the last year, and the year to come. He stated they have had a good year, and they will continue to do so to move forward for the citizens of Floyd County.

Chairman Jennings called for a motion to appoint Vice-Chairman. Commissioner Whitefield made a MOTION to appoint Commissioner Eddie Lumsden as Vice-Chairman. SECOND by Commissioner Mayes. VOTING:

YES

NO

Commissioner Fricks

" Lumsden

" Mayes

" Whitefield

Chairman Jennings

Motion Carried

PUBLIC PARTICIPATION:

John Johnston, 104 Pineway Drive, thanked the Board for giving him this opportunity to speak today. He stated it has been a while since he has been here to speak with them about this problem, but he is coming back again this year to address the boom box issue, noisy speakers, and amplifiers in cars. He stated the law says you cannot put something in a car that did not come in it. He stated just like he did last night at the City Commission he challenges each and every one of them to show him cars that come with boom box speakers and amplifiers in them. He stated like this microphone that is hooked up to an amplifier, they could not hear him that good if it was not hooked up to an amplifier. He stated without that they would barely be able to hear him. He stated he was going to ask of them for more time this year for the people in Public Participation to speak. He stated instead of three minutes, he wanted to see if they could maybe get five to seven minutes because it is hard to say what they need to say sometimes in three minutes. He stated he would like to see if they could increase the patrols in the county and let the people be aware that they are there. He stated it seems like when they see officers they turn the music down. He stated since the officers cannot catch them all then maybe if they see more of them in the area they will be a little more generous. He stated he doubts it very seriously because he does not remember who said it, it was either Foxworthy or Engvall, but you cannot fix stupid. He stated the law states he has certain rights. He stated he has the right to peace and quiet. He stated driving is a privilege, not a right, but these people are just up and down these streets all day and all night long in his area. He stated sometimes it is so loud it shakes his whole house. He stated the law also says he has the right to bring civil action against these people, as they well know, he did that against the commissioners here a while back and the city and county just ganged up on him with their lawyers and buried him in paperwork. He stated they got it dismissed and that is well and fine too. He stated he just wants to let the people of Rome, Georgia and the county know, he does not care who they are, what their daddy and momma does for a living, what they do for a living, he is going to start filing civil complaints. He stated if he has to do ten a week or ten a month, like he said at the City Commission meeting, he has a new video/audio camera for Christmas. He stated it picks up the slightest sounds and it was a good present. He stated therefore, he is going to start video and audio taping people and taking them to court. He stated he does not have to prove that it is them all the time, all he has to do is prove that it is most likely than not them that is doing the noise. He stated the city and the county is letting the people install these things in these stores around town. He stated there is other business going on there to, which he cannot prove because he does not actually see it happening, but if people

would look a little better he thinks they would pick up on it to. He stated he does not have a problem sending the police department to their house at night if they come down his street and he sees that they are going home. He stated he does not have a problem disturbing them back if they are going to disturb him. He stated so all you people that want to continue your boom boxing, save your money because he needs it and he is going to take it.

Alvin Jackson Sr., 23 Conn Street, stated he is the Chairman of the Martin Luther King Celebration Commission. He stated they have been in existence for over 22 years, and that is something the City of Rome and Floyd County should be proud of. He stated they offer the only four-day celebration in the entire state. He stated he is here to invite not only the Commissioners, but the citizens of Rome and Floyd County to participate in the upcoming events. Mr. Jackson reviewed a list of the scheduled events for the MLK Celebration. He stated he is excited about what is going on in the community, and thanked the Board for allowing him the time to speak.

ADOPTION OF MINUTES:

Chairman Jennings asked if the minutes were in order. County Attorney Tommy Manning stated the minutes had been reviewed and were in order. Commissioner Lumsden made a MOTION to adopt the minutes of the Regular Meeting of December 11, 2007 and the Called Meeting of December 20, 2007. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

RESOLUTIONS:

1. MATTERS RELATED TO THE COLLECTION OF TAXES

Chairman Jennings called for a motion on Matters Related to the Collection of Taxes. Commissioner Whitefield made a MOTION to adopt the Resolution regarding Matters Related to the Collection of Taxes. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden

" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. **HIRING RESOLUTIONS:**

a. **COUNTY MANAGER**

Chairman Jennings called for a motion to appoint the County Manager. Commissioner Lumsden made a MOTION to adopt the Resolution appointing Kevin Poe as County Manager. SECOND by Commissioner Mayes. VOTING:

	YES	NO
Commissioner Fricks		
" Lumsden		
" Mayes		
" Whitefield		
Chairman Jennings		

Motion Carried

b. **COUNTY ATTORNEY**

Chairman Jennings called for a motion to appoint the County Attorney. Commissioner Mayes made a MOTION to adopt the Resolution appointing McRae, Stegall, Peek, Harman, Smith and Manning, LLP as County Attorney. SECOND by Commissioner Whitefield. VOTING:

	YES	NO
Commissioner Fricks		
" Lumsden		
" Mayes		
" Whitefield		
Chairman Jennings		

Motion Carried

c. **COUNTY AUDITOR**

Chairman Jennings called for a motion to appoint the County Auditor. Commissioner Whitefield made a MOTION to adopt the Resolution appointing Mauldin

& Jenkins as County Auditor for the year 2008. SECOND by Commissioner Lumsden.
VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

3. DESIGNATION OF DEPOSITORIES OF FLOYD COUNTY:

Chairman Jennings called for a motion concerning the Designation of Depositories of Floyd County. Commissioner Lumsden made a MOTION to adopt the Resolution designating the Depositories of Floyd County. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Fricks abstain.

**4. ADOPT RESOLUTION TO AMEND FEE SCHEDULE BOOK
REGARDING ROME-FLOYD COUNTY BUILDING INSPECTION
FEES:**

Commissioner Lumsden made a MOTION to adopt the Resolution to Amend the Fee Schedule Book regarding Rome-Floyd County Building Inspection Fees. SECOND by Commissioner Whitefield. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**5. ADOPT RESOLUTION TO AMEND FEE SCHEDULE BOOK
REGARDING FLOYD COUNTY MERIT SYSTEM RULES AND
REGULATIONS:**

County Manager Poe stated that any stipend or incentive pay, like beeper pay, language incentive pay, education incentive pay, would be included in the Fee Schedule Book. In the future, when incentive pay changes it can be done through a Resolution to Amend the Fee Schedule Book rather than the County Code.

Commissioner Mayes made a MOTION to approve the Manager's recommendation and Adopt the Resolution to Amend the Fee Schedule Book regarding Floyd County Merit System Rules and Regulations. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**FIRST READINGS:
(SECOND READINGS/PUBLIC HEARINGS
TO BE HELD JANUARY 22, 2008 AT 6:00 PM)**

- 1. ORDINANCE TO AMEND FLOYD COUNTY CODE
RELATED TO CITIZENSHIP REQUIREMENTS FOR
MALT BEVERAGE AND WINE LICENSE APPLICATIONS.
(2008-002A)**

Chairman Jennings stated the Second Readings/Public Hearings will be held Tuesday, January 22, 2008 at 6:00 p.m.

**SECOND READINGS/PUBLIC HEARINGS:
(FIRST READINGS HELD DECEMBER 11, 2007)**

Chairman Jennings reviewed the procedures for Public Hearings.

- 1. FILE #123-2007Z, REQUEST REZONING FROM S-R
(SUBURBAN RESIDENTIAL) TO H-C (HEAVY
COMMERCIAL) FOR MARKETING OF PROPERTY**

LOCATED AT HIGHWAY 411 EAST CARTERSVILLE HIGHWAY. ZONING MAP K15Z – PARCEL 001, 002, AND K15W – PARCEL 009. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 5-4].

Chairman Jennings called for a motion. Commissioner Lumsden made a MOTION to open the Public Hearing. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of the request and discuss the conditions presented by the Planning Commission. Ms. Hiller stated the subject property is approximately 31 acres in size. She stated to the east is Mathis Road and across that is some heavy commercial zoning. To the south is A-R (Agricultural Residential) and S-R (Suburban Residential) property. She stated directly to the west is a property that was rezoned approximately two years ago with some conditions that has not been developed. To the north across the highway is a cemetery and some undeveloped commercial land as well. She stated the property is currently undeveloped. There is some community commercial further down along the eastern by-pass as well. She stated to the south and west of this is the Chulio Hills subdivision. She stated because this is a speculative rezoning, no information was provided about potential future uses except that the application indicated that it might be used as a shopping center. She stated the H-C zoning does allow shopping centers, but that is also allowed in the C-C zoning district with a special use permit. The difference between C-C and H-C is generally intensity of use. She stated H-C allows a lot more types of uses like auto repair, display and sales lots for large items like manufactured homes, and so on. It would allow slightly more heavy commercial uses. She stated this area is shown on the future land use map as commercial, but that does not designate between community commercial or the heavy commercial that was requested here. At the Planning Commission meeting, the initial motion was to rezone the property to C-C and to allow that because a shopping center, which the application states, could be there with a special use permit. She stated that motion got a vote of 4 – 5, and was defeated. The second motion was to rezone it to H-C as requested, and that passed by a vote of 5 – 4, so it comes to the Board with a recommendation to approve.

Support: Larry Martin, 201 Broad Street, stated they have the potential to attract the number one retailer that the people of Floyd County want, and that is

Target or possibly Publix. He stated their entrance to this property is off Highway 411 and Mathis Road, with the potential of ingress and egress across the parking lot of the adjoining 14 acres that has already been approved for C-C. In marketing this property, it would help them tremendously if they had a zoning of H-C, the same as the zoning across Mathis Road. He stated there is no potential for a small shopping center across from Wal-Mart. He stated the only potential for a good size shopping center around Wal-Mart, is for the property to be zoned H-C, and it makes more sense than any property along Highway 411. He does not think they would create a traffic problem at all. He stated they have a traffic light at Mathis Road. He state there is potential for a traffic light in between the two traffic lights, and he has met with DOT on that issue. He stated there is no problem about getting an entrance off Highway 411.

Oppose: Mardi Haynes-Jackson, 3416 Callier Springs Road, stated her property is in the Chulio Hills community. She stated they were here about two years ago because of the property that Mr. Martin talked about, the property that adjoins his property. They were in strong opposition to that property because of all the obstacles that it would present to their subdivision. She stated while they are realistic and they understand that there is going to be development on Highway 411, they do not want that development to be so invasive that their community no longer has an opportunity to exist. They would like to be able to co-exist there. She stated they are asking that that property not be approved with a heavy commercial zoning, and if it is rezoned that they consider zoning it as community commercial. They will be affected by traffic in that area even though he does access directly off Highway 411 with the red light. She stated their community has a main road that goes through and loops around to Mathis Road, and they will see the potential of traffic coming through that property, as well as the property that was approved for Mr. Ledbetter that will be one entrance that would adjoin his property. They know that by having a C-C zoning the potential is there for bigger, heavier industrial lighting that would overflow and affect their neighborhood. She stated there would be all of the same problems that they faced with the original zoning. She stated there are over seventy-two residents that live out in that community. It is a cul-de-sac, and there is only one way in and one way out for their residents. She asked the Commissioners to please just consider the implications of zoning that property to heavy commercial before they make that ruling.

Marsha Hudson, 9 Honeysuckle Ridge, stated she is also a resident of Chulio Hills. She stated Honeysuckle Ridge is just one street back from Callier Springs Road. She stated she wanted to voice her opposition of the rezoning of this land to heavy commercial. She stated they have already seen an influx of traffic as a result of the Wal-Mart store, and they just feel like they would get even more traffic from the rezoning, with more businesses and so forth being built there. She stated Mr. Martin mentioned something about possibly putting another traffic light between the one at Wal-mart and the one at the gas station at Mathis Road. She stated they were told sometime ago that the DOT would not allow another traffic light to go in between those two lights because it was too close in that area.

Chairman Jennings asked if there was anyone else wishing to speak on this rezoning. Seeing none, Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Discussion: Chairman Jennings asked if this were rezoned heavy commercial, does that require a site plan. Ms. Hiller stated in this case it is a speculative rezoning. She stated they have talked about a shopping center, but they stated that they are simply marketing the property, so no site plan was submitted. She stated if it is rezoned, they can do a shopping center or any number of any other commercial uses that are allowed in H-C by right. They would have to submit a site plan to building inspection, but they would not have to come back to this Commission. Chairman Jennings asked and if it were rezoned community commercial, would a special use permit be required. Ms. Hiller stated for a shopping center, but a shopping center is specifically defined in the code. She stated it has to be three or more retail businesses under the same roof, and the building has to be 25,000-square feet or larger. She stated so simply a Target store, Kroger, Publix, or any of those individual stores may not even qualify under their code as a shopping center, and they would simply be allowed by right in the C-C zoning district.

Chairman Jennings asked what type of road is Mathis Road labeled. County Manager Poe stated a local road, and so is Callier Springs. Chairman Jennings asked is there adequate right-of-way for improving Mathis Road. He said it seems to him that Mathis Road would have to be improved for anything that goes in there commercial-wise. County Manager Poe stated Mathis Road has a 60-foot right-of-way, and that is the right-of-way for a typical county road. Chairman Jennings asked is that adequate to upgrade that road, or would they need more right-of-way. County Manager Poe stated he would hope as they develop the property, whatever improvements for Mathis Road, like if there had to be a decal/accel lane, that it would be on their property, and that they would provide the additional right-of-way to make the improvements on their property. He stated he would have bigger concerns with any type of entrance off Callier Springs, because that is definitely a substandard roadway. He stated typically, if they have a site plan, they can work with the developer on road improvements related to the development. Chairman Jennings stated irrespective of whether this gets rezoned, if this gets rezoned, they need to address the issue regarding road improvements in their Resolution. County Manager Poe stated he thinks that would be wise to consider that. County Attorney Manning stated he does not know if that is going to address their concerns. He stated they might be able to condition the zoning to particular types of

uses. He stated he thinks they have had applicants come before the Commission before who had a proposal in mind, if he recalls correctly, and the Commission was concerned about what happens if they are gone in three years, and then they want to open it up to something within that district that is much broader. He stated he thinks in the past there have been some occasions where they have, within a zoning designation, conditioned a change to a particular type of use.

Commissioner Whitefield stated Mr. Martin, the way the property lies, you would have access from Highway 411 and Mathis Road, so you would not need access from Callier Springs Road, is that correct. Mr. Martin stated that is correct. Chairman Jennings stated but the Mathis Road road improvement would, if they decide to rezone this, need to be a condition because that road is not adequate. He stated a Publix or a Target could go into a community commercial zoning. Ms. Hiller stated it would have to meet their definition of a shopping center to require H-C zoning, or the special use permit in C-C zoning. Commissioner Whitefield asked Ms. Hiller if there was a rezoning, and a shopping center were to go in there, at what point would Mathis Road be reviewed for appropriateness, or would it. Ms. Hiller stated once it is rezoned essentially they can do the development on there. She stated what typically happens then is the county or the state is requested to step up and improve the road, so that it does handle the traffic that would be generated. County Manager Poe stated if that is not addressed before hand. He stated if they rezone it, and they are allowed to develop on it, and there is no site plan or conditions related to the road, they can do whatever they want to do. He stated then the county has to react to the impact it has on the roadway at the city, county, states cost. He stated typically when there is site plan they address road conditions and/or improvements in the site plan, but there is no site plan. He stated unless they can get some kind of commitment from the owner of the property that he is willing to do certain things related to road improvements, but he has not heard that offered. He stated Mathis Road is a two-lane road going into a major intersection. He stated if they generate a lot more traffic there at the intersection dealing with turn movements, and things like that. It is an issue. He stated typically if they have a shopping center or a large store, they are going to have to have some kind of entrance that is going to have deceleration and acceleration lanes, but it can have other impacts on existing county roads. He stated the owner mentioned there would not be any access onto Callier Springs Road, but he thinks they would need to have some guarantee of that.

Commissioner Whitefield made a MOTION to approve the rezoning from S-R (Suburban Residential) to H-C (Heavy Commercial) with the following conditions: 1) that there be no access from Callier Springs Road; 2) use of downward directed lighting; 3) use be limited to a shopping center; 4) improvements to Mathis Road for ingress and egress of the building to meet county standards; and 5) 50-foot setback on the property that abuts suburban and agricultural residential property. SECOND by Commissioner Fricks. VOTING:

YES

NO

Commissioner Fricks

" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. **FILE #124-2007Z, REQUEST REZONING FROM S-R (SUBURBAN RESIDENTIAL) TO C-C (COMMUNITY COMMERCIAL) FOR MARKETING OF PROPERTY LOCATED AT HIGHWAY 53 NORTH AT BELLS FERRY ROAD. ZONING MAP K12Z – PARCEL 029. (PLANNING COMMISSION RECOMMENDATION: APPROVE [VOTE: 8-1].**

Chairman Jennings called for a motion. Commissioner Lumsden made a MOTION to open the Public Hearing. SECOND by Commissioner Fricks. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked Ms. Sue Hiller, Planning Department Director, to give a brief overview of the request. Ms. Hiller stated the subject property is approximately 2.98 acres, and is currently zoned S-R (Suburban Residential). She stated to the north, south, and east is property that is zoned S-R. There is some heavy commercial diagonally across the highway and further to the west, and some O-I (Office Industrial) directly to the west. She stated to the south is still pretty much a rural residential type of corridor. She stated this comes to the Board with a recommendation from the staff that if it were to be rezoned that it come with the typical conditions of downward directed lighting, and buffers that would meet the full requirements of the setback in the ULDC. She stated it comes to them with an 8 – 1 recommendation from the Planning Commission to approve.

Support: Larry Martin, 201 Broad Street, stated they are seeking rezoning of the property for marketing purposes.

Commissioner Mayes made a motion to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Fricks made a MOTION to approve the recommendation from the Planning Commission to rezone the property from S-R (Suburban Residential) to C-C (Community Commercial). SECOND by Commissioner Mayes. VOTING:
YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

FIRST READINGS HELD NOVEMBER 27, 2007

3. ADOPT ORDINANCE TO AMEND THE FLOYD COUNTY CODE RELATED TO CIVIL SERVICE RULES AND REGULATIONS: (2008-001A)

Chairman Jennings called for a motion. Commissioner Whitefield made a MOTION to open the Public Hearing. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Chairman Jennings asked if there is anyone to speak in favor or against this Amendment. Seeing none, Commissioner Mayes made a MOTION to close the Public Hearing. SECOND by Commissioner Lumsden. VOTING:
YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

Commissioner Whitefield made a MOTION to adopt the Ordinance to Amend the Floyd County Code related to Civil Service Rules and Regulations. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

PUBLIC HEARING:

**1. ADOPT RESOLUTION FOR FIVE-YEAR SHORT TERM
WORK PROGRAM UPDATE: 2008-2012
(REVISED DECEMBER 2007).**

Defer.

CHAIRMAN'S REPORT:

1. Appointments to Boards, Committees, Commissions.

a. Rome-Floyd Land Bank Authority.

Commissioner Mayes made a MOTION to appoint Larry Maxey to the Rome-Floyd Land Bank Authority for a 4-year term expiring December 31, 2011. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield

Chairman Jennings

Motion Carried

2. Appointment of Commissioners to various Committees.

Chairman Jennings stated the appointment of Commissioners to various committees will remain the same as 2007, with one change. Commissioner Fricks will serve as Chairman of the Water Committee, and Commissioner Mayes will serve as Chairman of the Public Works Committee.

COMMISSIONER'S REPORT:

1. Administrative/Finance Committee – Commissioner Whitefield, Chairman

No Report.

2. Public Safety Committee – Commissioner Lumsden, Chairman

No Report.

3. Public Works Committee – Commissioner Fricks, Chairman

a. Proposal to Amend Road Acceptance Policy. (Deferred November 13, November 27, and December 11, 2007)

Commissioner Fricks made a MOTION to approve the Road Acceptance and Maintenance Policy as presented. SECOND by Commissioner Lumsden.
VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

4. Water Committee – Commissioner Mayes, Chairman

No Report.

5. Judicial Services Committee – Commissioner Jennings, Chairman

No Report.

6. Special Committee Reports

- a. **SPLOST Committee (Lumsden)**
- b. **Work Release Committee (Lumsden, Mayes)**
- c. **Fire Overview Committee (Lumsden, Whitefield)**
- d. **Joint Services Committee (Jennings, Whitefield)**
- e. **Joint Development Oversight Committee (Mayes, Whitefield)**

There were no Special Committee Reports.

**CLERK'S REPORT:
Consent Agenda**

County Clerk Kathy Arp stated there are two items on the Clerk's Consent Agenda, which have been reviewed and are submitted for approval. Commissioner Whitefield made a MOTION to approve the Clerk's Consent Agenda as presented. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

1. Tax Refunds:

- a. Horace & Meredith Stewart, 229 West Lakeshore Drive, \$108.76
- b. William P. Curtis, 4 Prescott Lane, \$281.30
- c. Mark Bradshaw M.D., 330 Turner McCall Blvd., Suite 105, \$145.69
- d. Jonathan & Tina Bartleson, 5 Hillcroft Drive, \$5.81
- e. Cynthia Carol & Robert Boazman, 1 Boatner Place, Silver Creek, \$446.26
- f. Wilburn & Nancy Bevels, 4 Edgewood Drive, Lindale, \$123.97
- g. William Steven Brooks, 975 Turner Road, \$277.99
- h. Shane T & Tiffany G Bobo, P.O. Box 435, Armuchee, \$75.10
- i. Susan Chambers, 36 Woodcliffe Drive, \$235.54
- j. Todd Bishop, 206 Coker Drive, \$390.51

- k. Alliance Laundry & Textile Service, 1700 Maple Avenue, \$717.06
- l. Ewell S. Carr, Jr., 92 Joy Drive, Cave Spring, \$3,493.96

2. Request from Tax Commissioner for release of accounts for mineral rights that have not made a return or paid taxes for five or more years totaling \$799.51 from tax digest.

MANAGER’S REPORT:

1. CONSIDER SPECIAL SALARY SUPPLEMENT FOR BRAD WALKER, MASTER MECHANIC, PUBLIC WORKS DEPARTMENT, FOR FILLING IN AS CHIEF MECHANIC FOR THE LAST EIGHT MONTHS:

County Manager Poe recommended approval of the request by Michael Skeen, Public Works Director, in his memo dated December 13, 2007, to provide a special salary supplement for Brad Walker who is the master mechanic in Public Works.

Commissioner Whitefield made a MOTION to approve the Manager’s recommendation. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

2. DISCUSS JUDICIAL CENTER/COURTHOUSE PARKING LOT PROJECT (2006 SPLOST):

No action.

ATTORNEY’S REPORT:

4/5 VOTE REQUIRED:

County Attorney Manning recommended the Commission add to the agenda an Agreement between Floyd County and North Georgia Forensic Counseling Center, LLC, concerning a counselor for the Matrix Program.

Commissioner Fricks made a MOTION to put this item on the agenda. SECOND by Commissioner Mayes. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

1. AGREEMENT BETWEEN FLOYD COUNTY AND NORTH GEORGIA FORENSIC COUNSELING CENTER, LLC:

County Attorney Manning stated the Agreement formalizes what had been previously discussed that this LLC and their employee would operate the Matrix Program for an annual fee of \$60,000, and they do so in the role of an independent contractor.

Commissioner Mayes made a MOTION to approve the Agreement between Floyd County and North Georgia Forensic Counseling Center, LLC. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

OTHER BUSINESS:

1. DISCUSS REAL ESTATE ACQUISITION:

County Manager Poe stated the property is adjacent to Lock & Dam Park. He recommended entering into an Option Agreement for the piece of property that is currently owned by Gachet Brown for the sum of \$1,000. County Attorney Manning stated if the Commission chooses to Authorize the Execution of the Option, he thinks the appropriate motion would be to Authorize the Chairman to Execute to Option Agreement and the Lot Purchase and Sell Agreement, because that Lot Purchase and Sell Agreement is referenced as being executed in the option. He stated it says in it that one of the special stipulations is that agreement will not become binding unless the county exercises its option so they are fine in executing both of those.

Chairman Jennings made a MOTION to enter into the Option Agreement and the Lot Purchase and Sell Agreement. SECOND by Commissioner Lumsden. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

ADJOURNMENT:

There being no further business to come before the Board, MOTION was made by Commissioner Whitefield, SECOND by Commissioner Lumsden, that the meeting be adjourned. VOTING:

YES NO

Commissioner Fricks
" Lumsden
" Mayes
" Whitefield
Chairman Jennings

Motion Carried

**FLOYD COUNTY BOARD OF
COMMISSIONERS**

JERRY JENNINGS, CHAIRMAN